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14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 ORIGIN CONSULTING, LLC, a Nevada
17 limited liability company; and ORIGIN
18 HOLDINGS, INC., a Nevada corporation,

19 Plaintiffs,

20 v.
21 CRITICALRIVER, INC., a Delaware
22 corporation; DOES I through X; and ROES I
23 through X,

24 Defendants.

25 Case No. 2:19-cv-1997-KJD-EJY

26 **STIPULATION TO EXTEND
27 DISCOVERY DEADLINES**

28 **FIRST REQUEST**

29 Pursuant to Local Rule 26-3, Plaintiffs Origin Consulting, LLC, a Nevada limited
30 liability company (“Origin Consulting”), and Origin Holdings, Inc., a Nevada corporation
31 (“Origin Holdings”) (together, “Plaintiffs” or “Origin”), and Defendant CriticalRiver, Inc.
32 (“CriticalRiver”), submit the following Stipulation to Extend Discovery Deadlines by ninety
33 (90) days. In support of this stipulation, the parties submit the following:

34 **A. History and Discovery Completed to Date:**

35 Plaintiffs filed their Complaint on November 15, 2019 (ECF No. 1), with their First
36 Amended Complaint filed January 29, 2020 (ECF No. 9). On February 21, 2017, CriticalRiver
37 filed its Motion to Dismiss Plaintiffs’ First Amended Complaint (ECF No. 18). On March 6,
38 2020, Plaintiffs filed their Response to the Motion to Dismiss(ECF No. 22). On March 13,

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1 2020, CriticalRiver filed its Reply in support of the Motion to Dismiss (ECF No. 23). The
2 Motion to Dismiss is pending a ruling.

3 On April 21, 2020, the parties submitted their first Proposed Discovery Plan (ECF No.
4 25), which was denied (ECF No. 26). On May 1, 2020, the parties submitted their second
5 Proposed Discovery Plan (ECF No. 27), which resulted in the following relevant discovery
6 deadlines:

7 Discovery Cut Off: October 5, 2020

8 Expert Disclosures: August 6, 2020

9 Rebuttal Expert Disclosures: September 8, 2020

10 Dispositive Motions: November 4, 2020

11 Joint Pretrial Order: December 4, 2020, or if a dispositive motion is filed, 30
12 days after a decision on the disposition motions or further order of the Court.

13 The parties exchanged their initial disclosures on May 19, 2020.

14 **B. Description of Discovery to Be Completed.**

15 The parties anticipate propounding written discovery on each other. The parties further
16 anticipate deposing key fact witnesses in this case, including without limitation the persons
17 most knowledgeable for Plaintiffs and CriticalRiver and other non-parties. The parties further
18 continue to assess whether and which expert witnesses may be necessary in this matter.

19 **C. Good Cause Exists for the Requested Extension.**

20 The parties have not completed expert discovery in this matter due to logistical issues
21 related to the ongoing COVID-19 pandemic, including shifting statewide closure orders and
22 stay at home policies. Additionally, the parties have been engaged and continue to engage in
23 settlement negotiations. The parties therefore request an extension of the expert witness
24 deadline of ninety (90) days, along with a corresponding extension of the remaining deadlines
25 (rebuttal expert deadline, discovery cut off, dispositive motions, and pretrial order) also of
26 approximately ninety (90) days.

27 **D. Proposed Discovery Schedule.**

28 The parties propose the following discovery schedule for the remaining deadlines:

1 Discovery Cut Off: January 4, 2021
2 Expert Disclosures: November 4, 2021
3 Rebuttal Expert Disclosures: December 4, 2021
4 Dispositive Motions: February 3, 2021
5 Joint Pretrial Order: March 5, 2021, or if a dispositive motion is filed, 30 days
6 after a decision on the disposition motions or further order of the Court.

7 **IT IS SO STIPULATED.**

8 DATED this 6th day of August, 2020.

DATED this 6th day of August, 2020.

9 */s/ Sydney R. Gambee*

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19 **IT IS SO ORDERED:**

20 
21 Layna J. Bouchard
22 UNITED STATES MAGISTRATE JUDGE

23 Dated: August 7, 2020